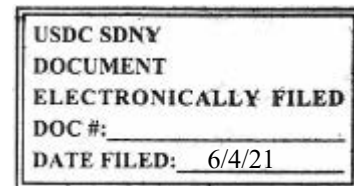


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



Josue Paguada,

Plaintiff,

—v—

Birthday in a Box, LLC,

Defendant.

20-CV-8261 (AJN)

ORDER

ALISON J. NATHAN, District Judge:

The Court ordered Plaintiff to file an affidavit of service of its May 25, 2021 order by June 2, 2021. As of the date of this order, the Court has not received that affidavit of service. The Court hereby ORDERS Plaintiff to comply with its May 25, 2021 order by June 9, 2021.

Plaintiff is on notice that failure to do so by this date may result in his claim being dismissed with prejudice for failure to prosecute. *See United States ex rel. Drake v. Norden Systems*, 375 F.3d 248, 250 (2d Cir. 2004) (noting “a district judge’s authority to dismiss actions based on a plaintiff’s failure to prosecute”).

SO ORDERED.

Dated: June 4, 2021
New York, New York

A handwritten signature in black ink, appearing to read "Alison J. Nathan".

ALISON J. NATHAN
United States District Judge